

11/10/99



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PTO/SB/05 (2/98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.	031041.0091
First Inventor or Application Identifier	Aleksander Szlam
Title	Dynamic & Interdependent Processing of Inbound Calls & Outbound Calls
Express Mail Label No.	EL429259605US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☐ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **36**]  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **8**]
4. Oath or Declaration [Total Pages **6**]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copie

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☒ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Statement(s) ☐ Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: Reissue, Transmittal, Offers to Surrender, Petition to Commissioner

\* NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: **08** / **449,887**Prior application information: Examiner **H. Le**Group / Art Unit: **2743****18. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Charles L. Warner II				
	Smith, Gambrell & Russell, LLP				
Address	1230 Peachtree Street, N.E.				
	Suite 3100, Promenade II				
City	Atlanta	State	Georgia	Zip Code	30309-3592
Country	U.S.A.	Telephone	(404) 815-3737	Fax	(404) 685-7037

Name (Print/Type)	Charles L. Warner II	Registration No. (Attorney/Agent)	32,320
Signature	<i>Charles L. Warner</i>	Date	11/10/99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Aleksander Szlam, James W. Crooks, Jr.,  
and Dean H. Harris

Filed: May 25, 1995

For: METHOD AND APPARATUS FOR  
DYNAMIC AND INTERDEPENDENT  
PROCESSING OF INBOUND CALLS  
AND OUTBOUND CALLS

Group Art Unit: 2608

REISSUE APPLICATION TRANSMITTAL

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith is the application for reissue of U.S. Patent No. 5,214,688 issued on May 25, 1993. This reissue application meets the requirements of Rule 53(b) and the inventors are named in full above. Because this reissue application is being filed under Rule 10, it is respectfully requested that this reissue application be granted a filing date of May 25, 1995, the date upon which this reissue application is being deposited in the Express Mail.

Enclosed are the following:

1. Specification, claim, and drawings
  - (a) 17 pages of specification
  - 18 pages of claims
  - 1 page of abstract

RETAIN THIS NUMBER-CUSTOMER  
RECEIPT WILL BE MAILED TO YOU.

TB285650574 US

Express Mail mailing label number TB285650574US

Date of Deposit: May 25, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Person mailing paper:

Robert W. Walden Jr.  
(Signature of person mailing paper or fee)

(b) 8 sheets of drawings

No changes whatsoever are to be made in the drawings. Therefore, in accordance with 37 CFR 1.174, attached are photoprints of the original drawings in the size (A4) required for original drawings.

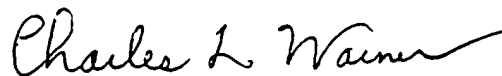
2. An Offer to Surrender the original Letters Patent by inventors Aleksander Szlam and James W. Crooks, Jr., and an Assent Of Assignee To Reissue, in accordance with 37 CFR 1.178 (2 pages).
3. In accordance with 37 CFR 1.171, this application for reissue is accompanied by an order for an Abstract of Title.
4. A verified statement that this filing is by a small entity is attached.
5. Enclosed is a check in the amount of \$25 for the abstract of title in accordance with 37 CFR 1.171 and 1.19(b)(4).

All correspondence, including any notice of missing parts, should be directed to:

Charles L. Warner II, Esq.  
Jones & Askew  
191 Peachtree Street, N.E.  
37th Floor  
Atlanta, Georgia 30303

All telephone calls should be directed to Charles L. Warner II at 404-818-3737.

Respectfully submitted,



By: Charles L. Warner II  
Reg. No. 32,320

JONES & ASKEW  
37th Floor, 191 Peachtree Street, N.E.  
Atlanta, GA 30303-1769  
(404) 818-3700  
Our Docket: 09280-0311

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Aleksander Szlam, James W. Crooks, Jr.,  
and Dean H. Harris

Serial No. 08/449,887

Filed: May 25, 1995

For: METHOD AND APPARATUS FOR  
DYNAMIC AND INTERDEPENDENT  
PROCESSING OF INBOUND CALLS  
AND OUTBOUND CALLS

Group Art Unit: 2608

CERTIFICATE UNDER 37 C.F.R. §3.73(b)

Inventions, Inc., a corporation organized and existing under the laws of the State of Georgia, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 5339, Frame 0726, on June 5, 1990.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

3/24/97

Signature:

*Aleksander Szlam*

Name:

Aleksander Szlam

Title:

President, Inventions, Inc.

Duplicate

TRUNK LINE NO.	STATUS
I ... A	FIXED INBOUND
B HBIT ... C	
D ... E	
F ... G	
H ... I	TEMPORARY INBOUND
J ... K	
L ... M	
	TEMPORARY OUTBOUND
	FIXED OUTBOUND
	CAMPAIGN # 1
	CAMPAIGN # 2
	CAMPAIGN # 3
	CAMPAIGN # N

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Aleksander Szlam, James W. Crooks, Jr.,  
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Filed: May 25, 1995

For: METHOD AND APPARATUS FOR  
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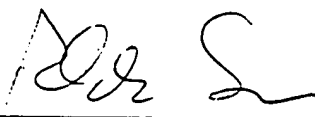
OFFER TO SURRENDER BY THE INVENTORS, AND  
ASSENT OF ASSIGNEE TO REISSUE

Commissioner of Patents & Trademarks  
Washington, DC 20231

Sir:

OFFER TO SURRENDER BY THE INVENTORS

The undersigned applicants of the accompanying reissue application for the reissue of Letters Patent for the *Method and Apparatus for Dynamic and Interdependent Processing of Inbound Calls and Outbound Calls*, U.S. Patent number 5,214,688 issued to them on May 25, 1993, of which Inventions, Inc., is now the sole owner by assignment, and on whose behalf and with whose assent the accompanying application is made, hereby offer to surrender said Letters Patent.

  
\_\_\_\_\_  
Aleksander Szlam

May 24, 1995  
Date

  
\_\_\_\_\_  
James W. Crooks, Jr.

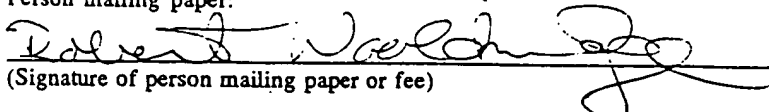
May 24, 1995  
Date

Express Mail mailing label number TB285650574US

Date of Deposit: May 25, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Person mailing paper:

  
\_\_\_\_\_  
(Signature of person mailing paper or fee)

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Aleksander Szlam, James W. Crooks, Jr.,  
and Dean H. Harris

Serial No.: 08/449,887

Filed: May 25, 1995

For: METHOD AND APPARATUS FOR  
DYNAMIC AND INTERDEPENDENT  
PROCESSING OF INBOUND CALLS  
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OFFER TO SURRENDER BY THE INVENTORS, AND  
ASSENT OF ASSIGNEE TO REISSUE

Commissioner of Patents & Trademarks  
Washington, DC 20231

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\_\_\_\_\_  
Aleksander Szlam

\_\_\_\_\_  
Date

\_\_\_\_\_  
James W. Crooks, Jr.

\_\_\_\_\_  
Date

Dean H. Harris  
Dean H. Harris

7/17/95  
Date

### ASSENT OF ASSIGNEE TO REISSUE

The undersigned, assignee of the entire interest in the above-mentioned Letters Patent, hereby assents to the accompanying application for reissue.

INVENTIONS, INC.

Aleksander Szlam  
President

Our Docket: 09280-0311



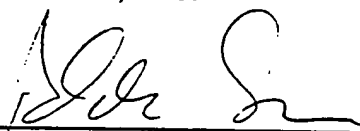
\_\_\_\_\_  
Dean H. Harris

\_\_\_\_\_  
Date

### ASSENT OF ASSIGNEE TO REISSUE

The undersigned, assignee of the entire interest in the above-mentioned Letters Patent, hereby assents to the accompanying application for reissue.

INVENTIONS, INC.

  
\_\_\_\_\_  
Aleksander Szlam  
President

Our Docket: 09280-0311

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Attn: Application  
Processing Division  
Special Processing  
and Correspondence  
Branch**

## Petition to the Commissioner to Waive the Rules and Grant a Filing Date

The undersigned, when filing patent applications, personally checks to make sure that the correct number of pages of specification and drawings are present prior

Charles L. Warner II - Reg. No. 32,320

to a patent application being placed in the Express Mail envelope. Therefore, in response to the notice, the undersigned requested that an independent contractor review the Patent Office file to determine the presence or absence of Figure 2. The contractor reported that Figure 2 was indeed absent, but that there were two copies of Figure 1. This would result in the correct page count and explains why the undersigned did not catch the problem.

Rule 174 (a) states: "The drawings upon which the original patent was issued may be used in reissue applications if no changes whatsoever are to be made in the drawings. In such cases, when the reissue application is filed, the applicant must submit a temporary drawing which may consist of a copy of the printed drawings of the patent or a photoprint of the original drawings of the size required for original drawing." (Emphasis added.) The reissue application transmittal letter, on page 2, indicated compliance by stating: "No changes whatsoever are to be made in the drawings. Therefore, in accordance with 37 CFR 1.174, attached are photoprints of the original drawings in the size (A4) required for original drawings."

In this case, photoprints of the original drawings of the size required for original drawing were submitted except that, inadvertently, two copies of Figure 1 were submitted and Figure 2 was omitted. However, Rule 174 (a) indicates that if no changes whatsoever are to be made in the drawings then the drawing to be submitted is only a temporary drawing.

In a completely new patent application, the drawings, specification, and claims have never been previously submitted to the Patent Office, are not available to the public, and are held in secrecy by the Patent Office, so the late submission of a drawing would constitute new matter. However, this is a reissue application, and the drawings, specification, and original claims have previously been submitted to the Patent Office, and are already available to the public via the parent patent, No. 5,214,688, so the omission of the temporary drawing and the later submission of Figure 2 do not add new matter.

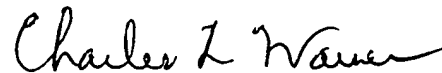
The Commissioner is hereby advised that Figure 2 is not required to support the new claims, claims 74-88, which are the subject of this reissue application. Figure 2 is concerned with the allocation and re-allocation of trunk lines among inbound calls and outbound calls, while the new claims are concerned with a method and an apparatus for allocation and re-allocation of agents (operators) among inbound calls and outbound calls, for treatment of calls, and for adjusting the rate of placement of outbound calls, which are supported by Figures 1, 4, 5 and 6, which were included in the reissue application.

Rule 183 states that the Commissioner, in an extraordinary situation, when justice requires, may suspend or waive any requirement of the regulations which is not a

requirement of the statutes. 35 U.S.C. §251 states: "The provisions of this title relating to applications for patent shall be applicable to applications for reissue of a patent...." 35 U.S.C. §113 requires that the applicant shall furnish a drawing...." In the subject case, the drawing, including Figure 2, was previously submitted as part of the parent patent application. Therefore, it is respectfully submitted that the statutes do not prevent the Commissioner from waiving the rules in this case.

Therefore, even though Figure 2 was apparently inadvertently omitted from the reissue application papers sent to the Patent Office on May 25, 1995, it is respectfully submitted that the reissue application actually includes the publicly available and previously filed papers for the parent patent, that the reissue application was effectively complete when filed, and that this submission of Figure 2 merely corrects an informality and does not add new matter. Therefore, it is respectfully requested that the Commissioner of Patents waive the rule requiring temporary drawings as a condition for obtaining a filing date, and grant the subject reissue application a filing date of May 25, 1995, the date upon which the reissue application was deposited in the Express Mail.

Respectfully submitted,



By: Charles L. Warner II  
Reg. No. 32,320

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